

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2277

IN THE MATTER OF:

Served November 16, 1981

Application of INTERNATIONAL	)	Case No. AP-80-26
LIMOUSINE SERVICE, INC., for a	)	
Certificate of Public Convenience	)	
and Necessity to Perform Charter	)	
Operations Between Points in the	)	
Metropolitan District	)	

In Order No. 2187, served January 26, 1981, the Commission specifically reserved jurisdiction ". . . to reopen this proceeding or to institute a new proceeding for a redetermination of International's fitness . . . ."

Beltway Limousine Service, Inc., in Case Nos. CP-81-11 and CP-81-12 has submitted credible evidence indicating that International may be knowingly and wilfully charging its general charter customers fares in excess of those published in International's WMATC Tariff No. 1. See Order No. 2271, served November 2, 1981, and incorporated by reference herein.

Accordingly, the Commission believes that Case No. AP-80-26 should be reopened for the purpose of conducting further inquiry into International's compliance with the provisions of the Compact and our rules, regulations and orders issued thereunder, particularly Title II, Article XII, Section 5(d) of the Compact, Commission Regulation No. 55 dealing with fares, regulations and practices of carriers, and the reporting requirements of Order No. 2187. A public hearing shall be scheduled and International will be preliminarily assessed for the costs thereof pursuant to Title II, Article XII, Section 19(a) of the Compact. \*/

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\*/ It is noted that reopening of this case results in large measure from formal pleadings submitted by protestant Beltway Limousine Service, Inc., and which could have been presented as a formal complaint. To be consistent with our treatment of other such cases, the Commission reserves the right to reassess costs as the outcome of the reopened proceedings may warrant.

International is hereby put on notice that, should the evidence developed at said hearing so warrant, the Commission may (a) revoke or suspend the carrier's operating rights pursuant to Title II, Article XII, Section 4(g) of the Compact, (b) order restitution of all monies found to be overcharged, (c) institute appropriate civil proceedings pursuant to Title II, Article XII, Sections 18(a) and (b) of the Compact, and (d) refer evidence of violations to the Corporation Council for the District of Columbia for criminal prosecution pursuant to Title II, Article XII, Section 18(d) of the Compact, D. C. Code (1981 Ed.) Sections 22-1301, 22-2201 and 22-2202 or such other provision of law as the Corporation Counsel may deem appropriate.

THEREFORE, IT IS ORDERED:

1. That Case No. AP-80-26 is hereby reopened for the purposes set forth herein.

2. That a public hearing thereon is hereby scheduled to commence on Monday, January 11, 1982, at 9:30 a.m., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

3. That International Limousine Service, Inc., is hereby directed to deliver the original and six exact photocopies of each and every charter service order or invoice describing service operated by the carrier during the period October 1, 1980, through October 31, 1981, between points in the Metropolitan District in vehicles with a seating capacity in excess of eight passengers (including the driver) to the offices of the Commission at 9:00 a.m. on Wednesday, December 9, 1981.

4. That International Limousine Service, Inc., is hereby assessed \$500, an amount preliminarily estimated to cover the expenses of this proceeding, and is directed to deliver said amount to the office of the Commission no later than 9:00 a.m. on Wednesday, December 9, 1981.

5. That any person desiring to be heard on this matter shall so notify the Commission by filing a written petition for leave to intervene herein pursuant to Commission Rule No. 16, and serving a copy thereof on counsel for International, Deborah Reiser, Esquire, Alper

Schoene, Horkan and Mann, 818 - 18th Street, N. W., Washington, D. C.  
20006 no later than Monday, December 2, 1981.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SCHIFTER AND  
SHANNON:



WILLIAM H. MCGILVER  
Executive Director